

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38883 of 2026**

Arising Out of P.S. Case No.-89, Year-2026, Thana- AMAUR, District-
Purnia

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Hasnain Sah, S/o- Ekhlaiq Sah, Resident of Village - Bishanpur,
Panchayat - Dubaili ,P.S.- Dagarua, District - Purnea

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate
Md. Tahmeed Halal, Advocate
For the Opposite Party/s: Ms. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRAPANDEY

ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Amour P.S. Case No. 89 of 2026 registered for the offence(s) under Section(s) 126(2), 115(2), 109, 76, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. The prosecution case is to the effect that informant has alleged that the named accused persons including the petitioner had abused the informant on account of domestic dispute and thereafter, when the informant protested, the co-accused Rais Sah and Noor Bano started assaulting the informant. It is further alleged that when his son tried to



intervene, all assaulted him with bamboo resulting in injury to his head.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on account of longstanding family dispute. It has further been submitted that the allegation is general and omnibus in nature and no specific overt act has been attributed to the petitioner. It has next been submitted that the allegation of assault and injury caused to his son does not stand corroborated from perusal of the injury report at Annexure, P/2, it does not mention any injury to the said injured persons namely Md. Harun. It would also transpire that the incident is said to have been occurred on 15.02.2026 while the injured was being treated on 17.02.2026 and the F.I.R. has been lodged after 9 days of the said incident. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned



Court/successor Court within a period of four weeks from today, on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Amour P.S. Case No. 89 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

sweta/-

(Sourendra Pandey, J)

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